

**IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

IN RE RICHARD M. OSBORNE
Debtor

CASE No. 17-17361
CHAPTER 11
JUDGE ARTHUR I. HARRIS

**RESPONSE OF RICHARD M. OSBORNE TO MOTION OF THE HUNTINGTON NATIONAL BANK FOR
RELIEF FROM STAY AND ABANDONMENT**

Richard M. Osborne, Debtor in Possession (“Debtor”) responds to the Motion of The Huntington National Bank for Relief from Stay and Abandonment [Doc. 257] (“Motion” and “HNB”). In its Motion HNB seeks relief from stay and abandonment of real property located at 7741 Auburn Road, Concord Township, Ohio, 7472 Presley Avenue, Mentor, Ohio 7474 Presley Avenue, Mentor, Ohio and 7482 Center Street, Unit #5, Mentor, Ohio (the “Property”).

1. HNB may not have first lien against some of the Property.
2. Other parties may have claims against the Property; among them are Chicago Title Insurance Company and Citizens Bank, N.A. fka RBS Citizens, N.A. dba Charter One.
3. The above entities and many other creditors of the estate also have claims secured by property controlled by other entities. In order to determine the relative rights and priorities of all creditors of this estate it is necessary to take into consideration the collateral held by those creditors outside of this bankruptcy case. Determining the relative rights and priorities of all creditors of this estate is essential to a successful reorganization of the debtor in this case.
4. Therefore the Property is necessary for the effective reorganization of the debtor.

Therefore, the Debtor respectfully requests that this Court deny the Motion.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that a copy of this response was electronically transmitted on or about the date filed via the Court's CM/ECF system to the following who are listed on the Court's Electronic Mail Notice list or was served by U.S. mail, postage prepaid, or certified mail on the persons below as indicated below.

Electronic Mail Notice List

The following is a list of the parties who are on the list to receive e-mail notice/service for this case:

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